

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 17 2020

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

TERESA J. MCGARRY, on behalf of
herself and all others similarly situated,

Plaintiff-Appellant,

v.

DELTA AIR LINES, INC.; [24]7.AI, INC.,

Defendants-Appellees.

No. 19-55790

D.C. No.

2:18-cv-09827-MWF-E

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Michael W. Fitzgerald, District Judge, Presiding

Submitted July 9, 2020**
Pasadena, California

Before: PAEZ and BADE, Circuit Judges, and ZOUHARY,*** District Judge.

In 2017, hackers gained access to the personal data of customers who
booked flights through the website of Defendant Delta Air Lines, Inc. (Delta).

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

*** The Honorable Jack Zouhary, United States District Judge for the Northern District of Ohio, sitting by designation.

Plaintiff Teresa McGarry then filed a putative class action against Delta and Defendant [24]7.ai, Inc., a technology company that provided services to Delta. The district court found all of McGarry's claims were either insufficiently pled or preempted by the Airline Deregulation Act. She asserts this was error.

After reviewing the record, briefs, and applicable law, we conclude the thorough and well-written orders of the district court correctly articulate and apply the law to the factual allegations of this case. Accordingly, for the reasons stated by the district court, we affirm.

AFFIRMED.